



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF ARCHITECTS</b>
<b>MEETING DATE AND TIME:</b>	<b>Wednesday, September 5, 2012 at 1:30 p.m.</b>
<b>PLACE:</b>	<b>861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware</b>
<b>MINUTES APPROVED:</b>	<b>October 3, 2012</b>

**MEMBERS PRESENT**

Kenneth Freemark, RA, Professional Member, President  
Peter H. Jennings, RA, Professional Member  
Richard Wertz, RA, Professional Member  
Kevin Wilson, RA, Professional Member  
Brian Lewis, Public Member  
John Mateyko, RA, Professional Member  
Prameela Kaza, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Andrew Kerber, Deputy Attorney General  
Nicole M. Williams, Administrative Specialist II  
Meaghan Jerman, Administrative Specialist II

**ABSENT**

Joseph Schorah, Public Member, Secretary  
Elizabeth Happoldt, Public Member

**OTHERS PRESENT**

Derek Haese, NCARB  
Kathy Hillegas, NCARB  
Michael Armstrong, NCARB  
Patrick Ryan, RA  
Nancy Payne, DE Chapter of the AIA  
Philip A. Franz, AIA

**Call to Order**

The Board temporarily appointed Mr. Jennings as the acting chairperson for Mr. Freemark for today's meeting. Mr. Mateyko made a motion to have Mr. Jennings chair the meeting, seconded by Mr. Lewis. Motion carried unanimously. Mr. Jennings called the meeting to order at 1:38 p.m.

### **Review and Approval of Minutes**

The Board reviewed the minutes of the July 11, 2012 meeting. Mr. Wertz made a motion to accept the minutes as submitted, seconded by Ms. Kaza. Motion carried unanimously.

### **Unfinished Business**

#### **Review and Approval of Board Order for Michael Pelligrino**

The Board continued this item until the further notice.

#### **Review and Approval of Board Order for Frances Siegel**

The Board reviewed and signed the final order for Ms. Siegel's Rule to Show Cause hearing on July 11, 2012 as submitted.

#### **Review and Approval of Board Order for Peter Lazor**

The Board reviewed and signed the final order for Mr. Lazor's Rule to Show Cause hearing on July 11, 2012 as submitted.

### **New Business**

#### **New Architect CE Requirement: Overlap Issue Discussion with NCARB**

Mr. Jennings advised the NCARB attendees, Mr. Armstrong, Ms. Hillegas, and Mr. Haese, that the Board adopted the new NCARB standards regarding continuing education requirements. Mr. Jennings inquired to NCARB what other States are implementing regarding continuing education. Mr. Mike Armstrong introduced himself to the Board and the purpose of NCARB attending the Board's meeting today. He introduced Mr. Derek Haese and Ms. Kathy Hillegas to the Board and stated what their roles are within NCARB. Mr. Haese is the lead on tracking the continuing education (CE) rule adoption of the new model law proposed by NCARB. Mr. Haese addressed the Board regarding the CE questions the Board asked. Mr. Haese advised that the overlap issue is a different issue than the implementation issue. With regards to the implementation issue most Boards are allowing CE to be used for the new cycle that was used in the old cycle. Mr. Jennings stated that the Board has discussed allowing a grace period. Mr. Wilson and Mr. Jennings discussed allowing licensees to use the CE's of the current year to satisfy the new CE requirement. The question is how to track recording the CE completed by licensees; does the Board need to require it to be recorded prior or at the renewal which is on a different time. The intent was not to record it but only to attest to it at the time of renewal, the other option increases the burden on staff during the time of the audit. Mr. Jennings stated to get notice out to the registrants about the new CE requirement and when the new renewal will take place. Mr. Haese said to allow a grace period of the new requirement by allowing the licensees to use those previous CE's for the upcoming renewal. The new change reflects when the licensee is attesting to the completion of the CE which must be in the calendar year. Mr. Wilson said for this renewal to allow the reuse of the 2011 CE and then 12 CE in 2012 to satisfy this new requirement for the 2013 renewal. Mr. Haese said to grant a grace period of about a year or so to allow the new CE requirement to take full effect. Ms. Williams will work with the system administrator to develop a notification letter of this new CE rule change to go out to licensees.

#### **Review of Correspondence from James Robert Clark, RA**

The Board reviewed the letter submitted by Mr. James Clark. Mr. Mateyko requested that the Board be allowed time to fully read this letter and then discuss at a later time. Mr. Kerber stated to go into executive session to discuss any litigation matters and defer until the end of the meeting pursuant to 29 Delaware Code, Section 10004(e)(2) which states the Board shall pre-announce or pre-publish all Executive Sessions; however, such agenda shall be subject to change to include additional items including Executive Sessions which arise at the time of the body's meeting. Mr. Wilson made a motion to

amend the agenda to go into executive session at the end of the meeting, seconded by Mr. Wertz. Motion carried unanimously.

Review of Direct Application by Reciprocity

Mr. Wertz reviewed the application for Leslie Hanson and stated that the name should read Hanson not Handson as written on the agenda. The application was in order as she met all the requirements for licensure. Mr. Wertz made a motion to approve Ms. Hanson for licensure, seconded by Mr. Wilson. Motion carried unanimously.

Ratification of Certificate of Authorization Applications

Mr. Wertz made a motion to ratify the listing of certificate of authorizations issued to the firms below, seconded by Ms. Kaza. Motion carried unanimously.

Nelco Architecture Inc. S7-0000299  
Kuhlmann Design Group S7-0000300  
Page Southerland Page LLP S7-0000301  
Audubon Architecture, Engineering, Surveying & Landscape S7-0000303  
Bernardon Haber Holloway Architects LLC S7-0000304  
Norr, LLC S7-000302

Ratification of Reciprocity Applications – NCARB Certificate

Mr. Wilson made a motion, seconded by Mr. Lewis, to ratify the listing of issued licenses to NCARB Certified architects by reciprocity. Motion carried unanimously.

Michael Testa	Alfonso Sira	Rafal Banik
Bobby Bishop	Timothy Holland	Daniel Patane
Frederick Millman	Joseph Ward	Howard Levine

Review of Reciprocity Application by NCARB for Thomas Daley – Discipline in PA

Mr. Kerber advised that Mr. Daley was disciplined in PA for not having the company in which he was a partner registered to do business and therefore entered into a consent agreement in 1997 and paid a civil penalty of \$200 for practicing without a certificate of authorization and having a fictitious registration name. The Board has the authority to waive this disqualification and approve the applicant for licensure. Mr. Wilson made a motion to waive the disqualification and approve Mr. Daley for licensure, seconded by Mr. Freemark. Motion carried unanimously.

Discussion on Adding Dimensions to Seal in Rules and Regulations

Ms. Williams advised that the Division gets inundated with calls from applicants and licensees inquiring what the dimensions of the seal should be. Mr. Jennings advised to look at what the prior specifications have been and to add this to future rule changes. Mr. Haese addressed the Board and stated that NCARB will look at other Board past practices and then report back to this Board with his findings.

**Other Business Before the Board (for discussion only)**

Mr. Mateyko requested to have Connie Holland, director of the State office of the Planning Division, HEAL, come to the next Board meeting or subsequent meeting to discuss with the Board sustainable design in active living in urban design in how that may be relevant to our State requirements. Mr. Mateyko made a motion to have Ms. Holland and her associate attend the next available meeting or subsequent meeting to explain their work in urban sustainable design, seconded by Ms. Kaza. Motion carried unanimously.

### **Public Comment**

Mr. Armstrong, CEO to NCARB and Ms. Kathy Hillegas, Director of Council Relations, addressed the Board and stated that they are in their second year of implementing a strategic plan in designing an effective path to licensure that is response, forward thinking, and reflective of the basic mission of protecting the health, safety, and welfare of the public. Mr. Armstrong advised that NCARB has made many implementations such as the new IDP 2.0 and has made some considerable progress in its implementation and success. He also advised of the fee changes and how their fees will be implemented according to a schedule and small incremental increases. He additionally advised that NCARB is accessible to State Boards regarding the quality of continuing education courses taken and the overall incentives to holding a NCARB certificate. The Board thanked Mr. Armstrong for his comments.

Ms. Hillegas addressed the Board advised that her department's functioning role is that of supporting Member Boards. Her department is currently exploring the critical issues of the definition of welfare regarding continuing Education, the definition of comprehensive practice regarding the Broadly Experienced Approach process to becoming NCARB certified, and the definition of incidental engineering as it relates to practicing architecture and engineering. She further advised that the member board chair/executive workshop will be in November in Boston, MA and would like to have full support of the State of DE at this workshop. NCARB will be taking a closer look at the Architect Registration Exam in the very near future as well. Mr. Jennings advised that DE has a very small number of licensee's and have very few exam candidates and DE is very dependent on NCARB services for the exam. He stated that there is the "NCARB by the numbers" that provides a wealth of information for architects and applicants. NCARB is going to try each year to unveil new data in the NCARB by the Numbers. The Board thanked Ms. Hillegas for her comments.

There was no other business before the board.

Mr. Jennings made a motion to adjourn the public meeting to go into executive session, seconded by Mr. Wertz. The public Board meeting adjourned at 2:45 p.m. Mr. Lewis and Ms. Kaza exited the meeting.

The Board entered into executive session at 2:55 p.m. The Board ended executive session at 3:33 p.m.

### **Next Scheduled Meeting**

The next meeting will be held on October 3, 2012 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

### **Adjournment**

With no further business before the board, Mr. Jennings made a motion to adjourn the meeting, seconded by Mr. Wilson. The motion carried unanimously. The meeting adjourned at 3:33 p.m.

Respectfully submitted,



Nicole M. Williams  
Administrative Specialist II